

From: [Beasley, Lynn](#)
To: [Tulis, Dana](#); [Matthiessen, Craig](#); [Irizarry, Gilberto](#)
Cc: [Jennings, Kim](#); [Stanton, Larry](#)
Subject: RE: Contacts on CAA 112(b) listing of polyglycol Ether
Date: Thursday, January 23, 2014 12:17:16 PM

For this, they do not need to report the release because of glycol ether. There may be other HS's that require reporting. If a substance comes in due to CAA – that's just its source. Once a CERCLA HS it gets reported if released to any media. Its like the ammonia situation. Ammonia is a HS because it was a CWA substance, but releases to air are also reportable.

Lynn M. Beasley
Office of Emergency Management
Mail Code: 5104A
office: (202) 564-1965
cell: (202) 309-4538

From: Tulis, Dana
Sent: Thursday, January 23, 2014 12:14 PM
To: Beasley, Lynn; Matthiessen, Craig; Irizarry, Gilberto
Cc: Jennings, Kim; Stanton, Larry
Subject: RE: Contacts on CAA 112(b) listing of polyglycol Ether
So, do they need to report a water release or only an air release?

From: Beasley, Lynn
Sent: Thursday, January 23, 2014 11:57 AM
To: Matthiessen, Craig; Tulis, Dana; Irizarry, Gilberto
Cc: Jennings, Kim; Beasley, Lynn
Subject: RE: Contacts on CAA 112(b) listing of polyglycol Ether
Glycol ethers have no RQ. They are still hazardous substances and all of the other liabilities apply, they just don't have to report.

Glycol ethers are a broad generic category and we deliberately did not establish an RQ.
I've attached the final rule, preamble discussion begins on page 30932. I guess we can feel comforted in the fact that glycol ethers got their HS designation as a result of being a CAA substance and not a CWA substance.

Lynn M. Beasley
Office of Emergency Management
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office: (202) 564-1965
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From: Matthiessen, Craig
Sent: Thursday, January 23, 2014 11:46 AM
To: Tulis, Dana; Irizarry, Gilberto
Cc: Jennings, Kim; Beasley, Lynn
Subject: RE: Contacts on CAA 112(b) listing of polyglycol Ether
Right. If no RQ is officially established, the default is 1 #. I copied Lynn for her expertise. Craig

From: Tulis, Dana
Sent: Thursday, January 23, 2014 9:52 AM
To: Matthiessen, Craig; Irizarry, Gilberto
Cc: Jennings, Kim
Subject: RE: Contacts on CAA 112(b) listing of polyglycol Ether
So if the RQ is actually 1 pound, they have exceeded.
This issue is murky too me, if there is no RQ John is saying it 1 pounds?

From: Matthiessen, Craig
Sent: Thursday, January 23, 2014 8:27 AM
To: Tulis, Dana; Irizarry, Gilberto
Cc: Jennings, Kim
Subject: RE: Contacts on CAA 112(b) listing of polyglycol Ether
Need the density from the MSDS; if it is like water (about 8#/gal), 300 gallons is 2,400 pounds. Craig

From: Tulis, Dana
Sent: Wednesday, January 22, 2014 4:03 PM
To: Irizarry, Gilberto; Matthiessen, Craig
Subject: FW: Contacts on CAA 112(b) listing of polyglycol Ether
So how does 300 gallons convert into pounds??

From: Michaud, John
Sent: Wednesday, January 22, 2014 3:03 PM
To: Irizarry, Gilberto; Tulis, Dana; Averbach, Jonathan; Stanton, Larry
Cc: Rimer, Kelly; Hirtz, James; Salo, Earl; Lynch, Mary-Kay; Schmidt, Lorie; Corman, Bicky; Jennings, Kim; Belke, Jim; Matthiessen, Craig
Subject: RE: Contacts on CAA 112(b) listing of polyglycol Ether
Tito –

Rather than circulate the whole discussion, here is the email from Karen:

From: Melvin, Karen
Sent: Tuesday, January 21, 2014 12:28 PM
To: Garvin, Shawn; Early, William; Hodgkiss, Kathy
Cc: D'Andrea, Michael; Ryan, Daniel; Aji, Diane
Subject: Additional chemical was in Tank 396 with the MCHM that was leaked
Importance: High

During today's 10am meeting with Freedom Industries this morning, the OSCs were advised that there was a mixture in Tank 396, instead of just MCHM, as was previously reported. The mixture was approximately 5.6% of PPH (Poly glycol ether), described in an MSDS sheet provided by Freedom Industries. 300 gallons of the PPH along with 6251 gallons of MCHM comprised what is believed to be the total release (including what is still in the soil and what made it to the river). We are having ATSDR on alert to evaluate this particular chemical, after we make available to them any toxicological studies that the HSCD Toxicologist (Dawn Ioven) may be able to access. According to the MSDS sheet, the substance is a skin and eye irritant.

Glycol Ether is a listed hazardous substance associated with the CAA as its statutory source (with no reportable quantity, so the default would likely be 10K pounds). We are continuing to evaluate this situation and did not include this new information in the Hot Sites Report for today.

John R. Michaud
Deputy Associate General Counsel
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From: Irizarry, Gilberto
Sent: Wednesday, January 22, 2014 2:59 PM
To: Michaud, John; Tulis, Dana; Averbach, Jonathan; Stanton, Larry
Cc: Rimer, Kelly; Hirtz, James; Salo, Earl; Lynch, Mary-Kay; Schmidt, Lorie; Corman, Bicky; Jennings, Kim; Belke, Jim; Matthiessen, Craig
Subject: RE: Contacts on CAA 112(b) listing of polyglycol Ether

Thanks John I do not recall getting the message from Karen that you refer to below. Can you share it ? Also, did you circle back with her with your details below ?

Gilberto "Tito" Irizarry, Director
Program Operations & Coordination Division
Office of Emergency Management
U.S. Environmental Protection Agency
O: 202-564-7982
C: 202-821-8138

From: Michaud, John
Sent: Wednesday, January 22, 2014 2:51 PM
To: Michaud, John; Irizarry, Gilberto; Tulis, Dana; Averbach, Jonathan; Stanton, Larry
Cc: Rimer, Kelly; Hirtz, James; Salo, Earl; Lynch, Mary-Kay; Schmidt, Lorie; Corman, Bicky; Jennings, Kim; Belke, Jim; Matthiessen, Craig
Subject: RE: Contacts on CAA 112(b) listing of polyglycol Ether
Apologies for the blank email!

Here is what I wanted to include:

Tito –

I wanted to point out an apparent error in Karen Melvin's of yesterday at 12:28pm. According to Karen, "Glycol Ether is a listed hazardous substance associated with the CAA as its statutory source (with no reportable quantity, so the default would likely be 10K pounds)."

First, the statutory default RQ is 1 pound not 10,00 pounds. See CERCLA section 102(b).

Second, the RQ notation in the 40 CFR 302 table for Glycol Ethers is "***". That means that no RQ has been assigned to the "generic or broad class" of chemicals. This notation means that there is no RQ for these chemicals, not that it is the

default RQ. Thus, even though Glycol Ethers are hazardous substances, there simply is no RQ for this class of chemical. The notation “##” means that the statutory RQ of 1 pound applies.

Thanks.

John R. Michaud
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Solid Waste and Emergency Response Law Office
Office of General Counsel
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From: Michaud, John
Sent: Wednesday, January 22, 2014 2:48 PM
To: Irizarry, Gilberto; Tulis, Dana; Averback, Jonathan; Stanton, Larry
Cc: Rimer, Kelly; Hirtz, James; Salo, Earl; Lynch, Mary-Kay; Schmidt, Lorie; Corman, Bicky; Jennings, Kim; Belke, Jim; Matthiessen, Craig
Subject: RE: Contacts on CAA 112(b) listing of polyglycol Ether
Tito –

John R. Michaud
Deputy Associate General Counsel
Solid Waste and Emergency Response Law Office
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From: Irizarry, Gilberto
Sent: Wednesday, January 22, 2014 1:01 PM
To: Tulis, Dana; Averback, Jonathan; Stanton, Larry
Cc: Rimer, Kelly; Hirtz, James; Salo, Earl; Lynch, Mary-Kay; Michaud, John; Schmidt, Lorie; Corman, Bicky; Jennings, Kim; Belke, Jim; Matthiessen, Craig
Subject: RE: Contacts on CAA 112(b) listing of polyglycol Ether
Another follow-up Here's what the HQ EOC WO has obtained from Region 3.

Thanks,

Gilberto "Tito" Irizarry, Director
Program Operations & Coordination Division
Office of Emergency Management
U.S. Environmental Protection Agency
O: 202-564-7982
C: 202-821-8138

From HQ EOC Wednesday, January 22nd; 12:36 pm
Here is information you requested from Region regarding the PPH, which was a mixture of two Dow products. One of the Dow Products is the Propylene Glycol Phenyl Ether with CAS 770-35-4. The other Dow product used in the PPH mixture has a mixture of three glycol ethers, one of which is CAS 770-35-4. The other two are Dipropylene glycol phenyl ether CAS 51730-94-0 and Polypropylene glycol phenyl ether, CAS 28212-40-0.

From: Irizarry, Gilberto
Sent: Wednesday, January 22, 2014 11:41 AM
To: Tulis, Dana; Averback, Jonathan; Stanton, Larry
Cc: Rimer, Kelly; Hirtz, James; Salo, Earl; Lynch, Mary-Kay; Michaud, John; Schmidt, Lorie; Corman, Bicky; Jennings, Kim; Belke, Jim; Matthiessen, Craig
Subject: RE: Contacts on CAA 112(b) listing of polyglycol Ether
Quick follow-up

Last night, our WO conducted a bit of research on this material and located an MSDS from Dow and identified a CAS No. See below the information located by the HQ EOC WO last night. Still, I've asked the EOC WO to reach out to R3 to have them verify the CAS number and ask if they've obtained an MSDS from the company specific to the product used in this facility .

Will pass on any information obtained.

Gilberto "Tito" Irizarry, Director
Program Operations & Coordination Division
Office of Emergency Management
U.S. Environmental Protection Agency
O: 202-564-7982
C: 202-821-8138

From HQ EOC WO on Tuesday, January 21st:

I did a search on PPH and came across technical data sheet and MSDS from Dow who has a product called Dowanol PPH, propylene Glycol Phenyl Ether, CAS Registry No. 770-35-4. I did not find it specifically on any of EPA's regulatory list when I did a search by CAS No. in the EPA Substance Registry Services (www.epa.gov/srs). There is a chemical category called glycol ethers listed on both the CAA Section 112B list and the EPCRA Section 313 Toxic Release Inventory list. The category is defined by those chemicals meeting a particular chemical formula or structure but it only includes "glycol ethers derived from ethylene glycol, diethylene glycol, and triethylene glycol. This category does NOT contain glycol ethers based on propylene glycol, dipropylene glycol, or tripropylene glycol." The TRI and CAA 112 glycol ether formula definition are the same. Propylene Glycol Phenyl Ether is a glycol ether derived from propylene glycol, so it is NOT included in the listed category of glycol ethers regulated. I used to work in the TRI program so I am familiar with the chemical list.

<http://www.wvgazette.com/News/201401210072?page=1>

Dowanol PPH MSDS <http://www.dow.com/webapps/msds/ShowPDF.aspx?id=090003e8803d20e7>

Other Technical data on Dowanol PPH

http://www.dow.com/assets/attachments/business/pcm/dowanol/dowanol_pph/tds/dowanol_pph_glycol_ether.pdf

[http://msdssearch.dow.com/PublishedLiteratureDOWCOM/dh_0119/0901b80380119ff3.pdf?](http://msdssearch.dow.com/PublishedLiteratureDOWCOM/dh_0119/0901b80380119ff3.pdf?filepath=productsafety/pdfs/noreg/233-00405.pdf&fromPage=GetDoc)

[filepath=productsafety/pdfs/noreg/233-00405.pdf&fromPage=GetDoc](http://msdssearch.dow.com/PublishedLiteratureDOWCOM/dh_0119/0901b80380119ff3.pdf?filepath=productsafety/pdfs/noreg/233-00405.pdf&fromPage=GetDoc)

TRI Glycol Ethers Category

<http://www2.epa.gov/sites/production/files/documents/2000glycol.pdf>

For you chemists in the group:

The glycol ethers category is defined by the following formula:

$R - (OCH_2CH_2)_n - OR'$

where:

$n = 1, 2, \text{ or } 3;$

$R = \text{Alkyl C7 or less, or phenyl or alkyl substituted phenyl;}$

$R' = H \text{ or alkyl C7 or less, or}$

OR' consisting of a carboxylic acid ester, sulfate, phosphate, nitrate, or sulfonate.

From: Tulis, Dana

Sent: Wednesday, January 22, 2014 11:11 AM

To: Averback, Jonathan; Stanton, Larry; Irizarry, Gilberto

Cc: Rimer, Kelly; Hirtz, James; Salo, Earl; Lynch, Mary-Kay; Michaud, John; Schmidt, Lorie; Corman, Bicky; Jennings, Kim; Belke, Jim; Matthiessen, Craig

Subject: RE: Contacts on CAA 112(b) listing of polyglycol Ether

Thanks Jon, adding in our regulatory folks.

From: Averback, Jonathan

Sent: Wednesday, January 22, 2014 10:59 AM

To: Stanton, Larry; Irizarry, Gilberto; Tulis, Dana

Cc: Rimer, Kelly; Hirtz, James; Salo, Earl; Lynch, Mary-Kay; Michaud, John; Schmidt, Lorie; Corman, Bicky

Subject: Contacts on CAA 112(b) listing of polyglycol Ether

[REDACTED]

jon